

APR 12 2016

JULIA C. DUDLEY, CLERK
BY: H. McDonald
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Danville DIVISION

Ricky S. Tarpely
Patricia Ann Tarpely,)
Plaintiff(s),)
v.)
Defendant(s).)

Court
Brook Dale Senior Living
And LaVERN Morton (Kitchen Manager))

(Enter the full name(s) of ALL parties in this lawsuit.
Please attach additional sheets if necessary.)

Civil Action No.: 4:16cv00019
(To be assigned by Clerk of District)

COMPLAINT

PARTIES

1. List all Plaintiffs. State the full name of the Plaintiff, address and telephone number. Do the same for any additional Plaintiffs.

a. Plaintiff No. 1

Name: Ricky Samuel Tarpely
Address: 153-C NEW INGRAM Rd. DANVILLE VA. 24541
Telephone Number: (434) 859-6314

b. Plaintiff No. 2

Name: Patricia Ann Tarpely
Address: 1213 North Main Street Apt. 7 DANVILLE VA 24541
Telephone Number: (434) 773-6620

2. List all Defendants. State the full name of the Defendant, even if that Defendant is a government agency, an organization, a corporation, or an individual. Include the address where each Defendant may be served. Make sure that the Defendant(s) listed below are identical to those contained in the above caption of the complaint.

a. Defendant No. 1

Name: Brookdale Senior Living

Address: 234 Hermitage Dr. Danville VA. 24541
(434) 327-4188

b. Defendant No. 2

Name: LAVERN Morton (Kitchen Manager)

Address: 234 Hermitage Dr. Danville VA. 24541

NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES AND ADDRESSES ON A SEPARATE SHEET OF PAPER.

Check here if additional sheets of paper are attached:

Please label the attached sheets of paper to correspond to the appropriate numbered paragraph above (e.g. Additional Defendants 2.c., 2.d., etc.).

JURISDICTION

Federal courts are courts of limited jurisdiction. Generally, two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount of damages is more than \$75,000 is a diversity of citizenship case. Federal courts also have jurisdiction over cases where the United States is a Defendant.

3. What is the basis for federal court jurisdiction?

Federal Question Diversity of Citizenship Government Defendant

4. If the basis for jurisdiction is Federal Question, which Federal Constitution, statutory or treaty right is at issue? List all that apply.

DISCRIMINATION OF RACE AND DIS-ABLE

5. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party? Each Plaintiff must be diverse from each Defendant for diversity jurisdiction.

Plaintiff No. 1: _____ State of Citizenship: _____

Plaintiff No. 2: _____ State of Citizenship: _____

Defendant No. 1: _____ State of Citizenship: _____

Defendant No. 2: _____ State of Citizenship: _____

Attach additional sheets of paper as necessary and label this information as paragraph 5. Check here if additional sheets of paper are attached.

STATEMENT OF THE CLAIM

Describe in the space provided below the basic facts of your claim. The description of facts should include a specific explanation of how, where, and when each of the defendants named in the caption violated the law, and how you were harmed. Do not give any legal arguments or cite cases or statutes. Each paragraph must be numbered separately, beginning with number 6. Please write each single set of circumstances in a separately numbered paragraph.

6. Stated that they did not hire dis-able people.

7. Was a black male with a associate degree in cooking. Been dis-able since 1997.

8. Call wife Patricia Tarpley and told her to tell Ricky Tarpley to come back - In and fill out application and don't put that I was dis-able.

9. Went in to fill out new application, suppose to went to work the same day.

⑩. Lavern Morton told Patricia
Tarpley (wife) to tell Ricky Tarpley
to come to fill out job application
and be prepared to go to work the
same day.

Attach additional sheets of paper as necessary and label them as Additional Facts and continue to number the paragraphs consecutively. Check here if additional sheets of paper are attached.

REQUEST FOR RELIEF

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking.

- ① FOR MENTAL ANGUISH & PUNITIVE DAMAGES
- ② SALARY I WOULD HAVE MADE BY WORKING PART-TIME.
- ③ FOR A LEAST ③ YEARS (SALARY)
- ④ PROPER PAY FOR DISCRIMINATION FOR BEING DIS-ABLE.

DEMAND FOR JURY TRIAL: YES NO

Signed this 12 day of April, 2016

Signature of Plaintiff No. 1

Dicky J. Taylor

Signature of Plaintiff No. 2

Patricia Ann Taylor 4/12/2016

NOTE: All Plaintiffs named in the caption of the complaint must date and sign the complaint. Attach additional sheets of paper as necessary.

United States District Court April 12, 2016

Complaint • Discrimination against
Complaint • the dis-able

① Brookdale Senior Living States
they do not hire the dis-able in
the Kitchen.

② Laverne Morton ~~had~~ called my wife for
Ricky Tarpley to come back in. And
filled out New application and be
ready to go to work same day.

③ But when I got their they made
excuse of checking references, and
check over my application. That was
the second application.

④ Charges: against the dis-able
(a) being a black male to work in
Kitchen.

Brookdale Senior Living
432 Hermitage Dr.
Danville, Va. 24541

April 12, 2016

To Whom it may concern,

M. Ricky Tarsley is
filing charges against, Brook Dale
Senior Living, 434 Hermitage Drive
Danville, Va... In the federal Court in
Danville Va. 24541.

P.O. Box 3624
Danville, Va 24543
(434) 857-0314

Sincerely Yours
Ricky T. Tarsley

Complaint
for Discrimination against
the dis-able

Brook Dale Senior Living
432 Hermitage Dr.
Danville Va. 24541

Request for Relief

- ① Salary from time of application
- ② Punitive damages
- ③ Mental anguish
- ④ Proper pay for discrimination for being disabled.
- ⑤ Jury trial or best decision made by the Court.